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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**  
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9 Gilberto Carillo,

10 Plaintiff

11 v.

12 Douglas Gillespie et al.,

13 Defendants  
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Case No.: 2:12-cv-02165-JAD-VCF

**Order Denying Motion for  
Reconsideration [Doc. 98]**

15 Before the Court is Plaintiff's Motion for Reconsideration, Doc. 98, asking the Court to  
16 reconsider the Order denying appointed counsel that was entered May 6, 2013. Doc. 43.  
17 Defendants oppose Plaintiff's Motion Doc. 101.

18 Motions for reconsideration are not expressly authorized in the Federal Rules of Civil  
19 Procedure, but district courts may grant them under Rule 59(e). *See Sch. Dist. No. 1J, Multnomah*  
20 *Cnty. v. ACandS, Inc.*, 179 F.3d 656, 665 (9th Cir. 1999). Reconsideration is only warranted when:  
21 (1) the movant presents newly discovered evidence, (2) the district court committed clear error or  
22 the initial ruling was manifestly unjust, or (3) there is an intervening change in controlling law. *Id.*  
23 (citing *All Haw. Tours, Corp. v. Polynesian Cultural Ctr.*, 116 F.R.D. 645, 648 (D. Haw. 1987)).  
24 Although reconsideration may also be warranted under other highly unusual circumstances, it is well  
25 recognized as an "extraordinary remedy, to be used sparingly in the interests of finality and  
26 conservation of judicial resources." *Carroll v. Nakatani*, 342 F.3d 934, 945 (9th Cir. 2007) (quoting  
27 12 James Wm. Moore et al., *Moore's Federal Practice* § 59.30[4] (3d ed. 2000)).

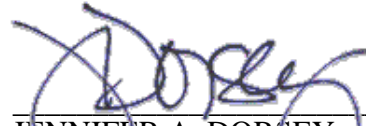
28 The Court finds no new evidence, clear error or manifest injustice, or intervening change in

1 law that would warrant reconsideration of the order he now challenges.

2 Accordingly, and with good cause appearing:

3 It is hereby ORDERED that Plaintiff's Motion for Reconsideration [**Doc. 98**] is **DENIED**.

4 DATED November 6, 2013.

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JENNIFER A. DORSEY  
UNITED STATES DISTRICT JUDGE

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